

✓ This instrument prepared by and return to:  
Eric L. Sappenfield, PLLC, Attorney at Law  
MS Bar #6468  
6858 Swinnea Road  
#5 Rutland Place  
Southaven, MS 38671  
662-349-3436  
foreclosures/13163.7astd

GRANTOR'S ADDRESS:  
6858 Swinnea Road  
5 Rutland Place  
Southaven, MS 38671

wk: 662-349-3436  
hm: n/a

GRANTEE'S ADDRESS  
6363 Poplar Avenue  
Suite 221  
Memphis, TN 38119

wk: 901-762-7577  
hm: n/a

INDEXING INSTRUCTIONS: TRACT I: Part of the NW and NE 1/4 of Section 25, Township 1 South, Range 9 West and TRACT II: Part of NE 1/4 of Section 25, Township 1 South, Range 9 West

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on October 26, 2009, DAN A. BROWN LAND COMPANY, LLC, executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORPSOUTH BANK, which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 3096, Page 602; and

WHEREAS, BANCORPSOUTH BANK having substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL by instrument dated November 1, 2010, and recorded in the Chancery Clerk of DeSoto County, Mississippi, in Book 3239, Page 301; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, BANCORPSOUTH BANK, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

WHEREAS, the undersigned Substituted Trustee in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi did advertise said sale in THE DESOTO TIMES, a newspaper published and generally circulated in DeSoto County, Mississippi, for four consecutive weeks preceding the date of the sale. The first notice publication appeared December 7, 2010 and subsequent notices appeared on December 14, 2010, December 21, 2010 and December 28, 2010. Proof of publication is attached hereto and incorporated herein by reference as Exhibit "A".

WHEREAS, on December 29, 2010, at the East Door of the County Courthouse of DeSoto County, Hernando, Mississippi, commencing at 11:00 A.M., I the undersigned Substituted Trustee did offer for sale and sell said property for cash to the highest bidder the following described property, lying and being situated in DeSoto County, Mississippi, to wit:

Description of a 19.21 acre tract of land situated in the northeast quarter of section 29, township-1-south, range-6-west and in the southeast quarter of section 20, township-1-south, range-6-west, Olive Branch, DeSoto County, Mississippi, being part of the Dan A. Brown Land Company, L.L.C. 45.16 acre tract as recorded in deed book 472, page 633 and being more particularly described as follows: Beginning at a point on the east line of the Studdard tract as recorded in deed book 62, page 473, said point being 516.33' north of and 1478.99' west of the northeast corner of section 29, township-1-south, range-6-west, Olive Branch, DeSoto County, Mississippi; Thence eastwardly along the south line of Allendale P.U.D., section "A", phase II the following courses: S-62d07'27"-E 142.83', S-

27d43'26"-W 2.78', S-62d25'41"-E 50.00', S-58d29'00"-E 126.15'; Thence along Allendale P.U.D., section "B", phase 2 (unrecorded) the following courses: S-26d44'35"-W 60.07', S-16d37'27"-W 472.10', S-12d07'13"-W 241.45', S-77d52'47"-E 125.00', S-12d07'13"-W 147.65', S-77d52'47"-E 357.59', S-89d50'35"-E 50.02', N-01d48'35"-E 90.00', S-88d11'25"-E 140.11' to a point; Thence along Allendale P.U.D., section "A", Phase II the following courses: S-88d11'25"-E 156.11', along a curve to the right having a radius of 1900.00', an angle of 03d33'10", an arc length of 117.81', with a chord of S-01d23'21"-E 117.79', S-89d36'37"-E 171.94' to a point on the west line of Allendale Subdivision, Phase I; Thence S-02d05'18"-E along said west line 100.71' to the southwest corner of said Phase I; Thence S-01d48'37"-W 196.19' to a point on the south line of the Dan A. Brown Land Company, LLC property as recorded in deed book 472, page 633; Thence westwardly along said south line the following courses; N88d11'25"-W 568.32', N-77d52'47"-W 596.48', S-21d20'43"-W 225.22', N-73d35'21"-W 244.36' to a point on the east line of the Dan A. Brown Land Company, LLC Property as recorded in deed book 519, page 250; Thence N-16d37'27"-E along said east line and the east line of said Studdard tract 1543.34' to the point of beginning containing 836,912.67 square feet or 19.21 acres.

Subject to the City of Olive Branch and DeSoto County Subdivision and Zoning Regulations.


Subject to any easements for utilities and road right-of-ways.

The undersigned Substituted Trustee offered said property for sale at public outcry as set forth above and there appeared BANCORPSOUTH BANK, who bid the amount of \$200,000.00, and this being the highest and best bid, said BANCORPSOUTH BANK, was declared the successful bidder and the same was then and there struck off to said BANCORPSOUTH BANK.

NOW THEREFORE, in consideration of the premises and in consideration of the price and sum of \$200,000.00, cash in hand paid, receipt of which is hereby acknowledged, I, the undersigned Substituted Trustee, do hereby sell and convey unto BANCORPSOUTH BANK, the land and property above described, together with all improvements thereon.

Title to this property is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee.

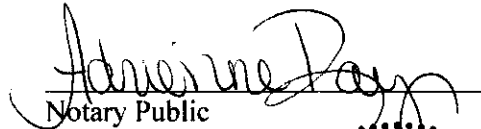
WITNESS MY SIGNATURE this the 29th day of December, 2010.



Eric L. Sappenfield  
Substituted Trustee

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

PERSONALLY appeared before me the undersigned authority in and for the said county, and state, on this 29th day of December, 2010, within my jurisdiction, the within named ERIC L. SAPPENFIELD, who acknowledged that he is Substituted Trustee of BANCORPSOUTH BANK, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

  
Notary Public

My Commission Expires:

07-15-2012



# DESOTO TIMES-TRIBUNE

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**Diane Smith** personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

### SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on October 26, 2009, DAN A. BROWN LAND COMPANY, LLC executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORP-SOUTH BANK, which Deed of Trust is of record in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 3096, Page 602.

WHEREAS, BANCORP-SOUTH BANK has heretofore substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL by instrument dated November 1, 2010, and recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 3239, Page 301; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, BANCORPSOUTH BANK, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust and for the purpose of raising the sums due thereunder, together with attorneys fees, trustee's fees and expenses of sale.

NOW, THEREFORE, I, ERIC L. SAPPENFIELD, SUBSTITUTED TRUSTEE, under the provisions of and by virtue of the authority conferred upon me in the same Deed of Trust, will on the 29th day of December, 2010, sell during the legal hours between 11:00 A.M. and 4:00 P.M., at the East Door of the County Courthouse of DeSoto County in Hernando, Mississippi, for sale and sell said property for cash to the highest bidder, the following described property lying and being situated in DeSoto County, Mississippi:

Description of a 19.21 acre tract of land situated in the northeast quarter of section 29, township-1-south, range-6-west and in the southeast quarter of section 20, township-1-south, range-6-west, Olive Branch, DeSoto County, Mississippi, being part of the Dan A.

Brown Land Company, L.L.C. 45.16 acre tract as recorded in deed book 472, page 133 and herein more particularly

Volume No. 115 on the 7 day of Dec., 2010

Volume No. 115 on the 14 day of Dec., 2010

Volume No. 115 on the 21 day of Dec., 2010

Volume No. 115 on the 28 day of Dec., 2010

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

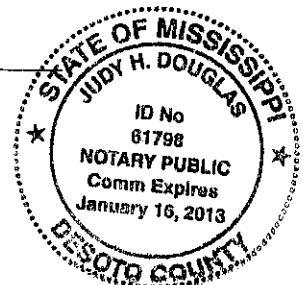
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

Diane Smith

Sworn to and subscribed before me, this 28 day of Dec., 2010

BY Judy Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2013  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



A. Single first insertion of 694 words @ .12 \$ 83.28

B. 3 subsequent insertions of 2082 words @ .10 \$ 208.20

C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 294.48

145 Hwy. 51 South, Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229

Beginning at a point on the east line of the Studdard tract as recorded in deed book 82, page 473, said point being 516.33' north of and 1478.99' west of the northeast corner of section 29, township-1-south, range-6-west, Olive Branch, DeSoto County, Mississippi; Thence eastwardly along the south line of Allendale P.U.D., section "A", phase II the following courses: S-62d07'27"-E 142.83', S-27d43'26"-W 2.78', S-62d25'41"-E 50.00', S-68d29'00"-E 126.15'; Thence along Allendale P.U.D., section "B", phase 2 (unrecorded) the following courses: S-26d44'35"-W 60.07', S-16d37'27"-W 472.10', S-12d07'13"-W 241.45', S-77d52'47"-E 125.00', S-12d07'13"-W 147.65', S-77d52'47"-E 357.59', S-89d50'35"-E 50.02', N-01d48'35"-E 90.00', S-86d11'25"-E 140.11' to a point; Thence along Allendale P.U.D., section "A", Phase II the following courses: S-88d11'25"-E 156.11', along a curve to the right having a radius of 1900.00', an angle of 03d33'10", an arc length of 117.81', with a chord of S-01d23'21"-E 117.79', S-89d36'37"-E 171.94' to a point on the west line of Allendale Subdivision, Phase I; Thence S-02d05'18"-E along said west line 100.71' to the southwest corner of said Phase I; Thence S-01d48'37"-W 196.19' to a point on the south line of the Dan A. Brown Land Company, LLC property as recorded in deed book 472, page 633; Thence westwardly along said south line the following courses: N88d11'25"-W 568.32', N-77d52'47"-W 596.48', S-21d20'43"-W 225.22', N-73d35'21"-W 244.36' to a point on the east line of the Dan A. Brown Land Company, LLC Property as recorded in deed book 519, page 250; Thence N-16d37'27"-E along said east line and the east line of said Studdard tract 1543.34' to the point of beginning containing 836,912.67 square feet or 19.21 acres.

Subject to the City of Olive Branch and DeSoto County Subdivision and Zoning Regulations.

Subject to any easements for utilities and road right-of-ways.

The undersigned Substituted Trustee will convey only such title as is vested in him by virtue of the above described Deed of Trust. WITNESS MY SIGNATURE this 1st day of December, 2010.

/s/ Eric L. Sappenfield  
Eric L. Sappenfield (MS Bar No. 6468)

Substituted Trustee  
6858 Swinnea Road  
5 Rutland Place  
Southaven, MS 38671  
662-349-3436

Publication Dates:

December 7, 2010

December 14, 2010

December 21, 2010

December 28, 2010